



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/689,178	10/11/2000	Neven Karlovac	20528-13	8291
7590	12/30/2003			EXAMINER LIU, JOSHUA C
Steven C Lieske OPPENHEIMER WOLFF & DONNELLY LLP 45 South Seventh Street 3400 Plaza VII Minneapolis, MN 55402			ART UNIT 2121	PAPER NUMBER 6
DATE MAILED: 12/30/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/689,178	KARLOVAC ET AL.	
	Examiner	Art Unit	
	Joshua C Liu	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10/11/2000 (eff. filing date 11/26/1999).
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 October 2000 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

DETAILED ACTION

1. Claims 1-6 have been examined.

Claim Objections

2. Claims 1 and 3-4 are objected to because of the following informalities:

- Claim 1 recites “components or subsystems” on L. 3, which has antecedent basis. The Examiner assumes that “components or subsystems” on L. 3 refers back to “components or subsystems” on L. 1.
- Claim 1 recites “at least one of the combinations” on L. 17, which has no antecedent basis. The Examiner suggests the following correction: “one or more combinations”.
- Claim 3 recites “at least one of the one or more predefined system constraints” on L. 2-3, which has antecedent basis. The Examiner assumes that “at least one of the one or more predefined system constraints” on L. 3 refers back to “one or more predefined system constraints” on L. 18 of claim 1 and suggests the following correction: “the one or more”.
- Claim 3 recites “the cumulative contribution” on L. 3, which has no antecedent basis.
- Claim 3 recites “the combination” on L. 4, which has no antecedent basis.
- Claim 4 recites “components or subsystems” on L. 3, which has antecedent basis. The Examiner assumes that “components or subsystems” on L. 3 refers back to “components or subsystems” on L. 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claim 5 recites the limitation "the method for choosing" in L. 1. There is insufficient antecedent basis for this limitation in the claim.
- Claim 6 recites the limitation "the method for choosing" in L. 1. There is insufficient antecedent basis for this limitation in the claim.
- Claim 6 recites "at least one of the one or more predefined system constraints" on L. 2-3, which has antecedent basis. The Examiner assumes that "at least one of the one or more predefined system constraints" on L. 3 refers back to "one or more predefined system constraints" on L. 18 of claim 1 and suggests the following correction: "the one or more".
- Claim 6 recites "the cumulative contribution" on L. 3, which has no antecedent basis.
- Claim 6 recites "the component or subsystem candidates" on L. 3-4, which has no antecedent basis.
- Claim 6 recites "the combination" on L. 4, which has no antecedent basis.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Weinberg et al (US Patent Number 6,144,962; Filed 11/7/2000).

Claim 1

Claim 1 recites

A method for choosing components or subsystems for a plurality of generic descriptions in a system design in compliance with one or more system constraints, wherein the generic descriptions represent components or subsystems in the system design, the method comprising:

(a) choosing a first generic description and a second generic description from the plurality of generic descriptions; querying a database of objects for finding potential components or subsystems for the first generic description;

(b) receiving a first answer set from the database of objects, where the first answer set is comprised of at least one component or subsystem candidate for the first generic description;

(c) querying the database of objects for finding potential components or subsystems for the second generic description;

(d) receiving a second answer set from the database of objects, where the second answer set is comprised of at least one component or subsystem candidate for the second generic description;

(e) testing at least one of the combinations of component or subsystem candidates from the first and second answer sets against one or more predefined system constraints; and

(f) determining at least one solution set, where each solution set is one of the combinations of component or subsystem candidates which best complies with the one or more predefined system constraints.

Claim 1 is anticipated by Weinberg, wherein Weinberg teaches:

Art Unit: 2121

(a)-(d) See (Weinberg Figs. 17 and 20; Col 3 L. 9-63, "In accordance... a Web site."); Col 27 L. 1-13, "As generally... non-OK URLs."); Col 27 L. 57-Col 28 L. 65, "By way of... view of the map.");

(e)-(f) See (Weinberg Fig. 17; Col 1 L. 34-40, "Company webmasters... congested links."); Col 27 L. 57-Col 28 L. 65, "By way of... view of the map.").

Claim 2

Claim 2 recites "The method for choosing components or subsystems for a plurality of generic descriptions in a system design, from claim 1, wherein the generic descriptions are blocks of a block diagram", which is anticipated by Weinberg:

- See §102 rejection for claim 1, *supra*, and (Weinberg Figs. 1-5, 13-16, 18, 21, and 23-24).

Claim 3

Claim 3 recites "The method for choosing components or subsystems for a plurality of generic descriptions in a system design, from claim 1, wherein at least one of the one or more predefined system constraints depends on the cumulative contribution of each of the component or subsystem candidates in the combination", which is anticipated by Weinberg:

- See §102 rejection for claim 1, *supra*, and (Weinberg Fig. 17; Col 1 L. 34-40, "Company webmasters... congested links."); Col 27 L. 1-13, "As generally... non-OK URLs.").

Claim 4

Claim 4 recites

Art Unit: 2121

A method for verifying whether components or subsystems for a plurality of generic descriptions in a system comply with one or more system constraints, wherein the generic descriptions represent components or subsystems of the system, the method comprising:

- (a) choosing a first generic description and a second generic description from the plurality of generic descriptions; querying a database of objects for finding potential components or subsystems for the first generic description;
- (b) receiving a first answer set from the database of objects, where the first answer set is comprised of at least one component or subsystem candidate for the first generic description;
- (c) assigning a first candidate object from the first answer set to the first generic description;
- (d) querying the database of objects for finding potential components or subsystems for the second generic description;
- (e) receiving a second answer set from the database of objects, where the second answer set is comprised of at least one component or subsystem candidate for the second generic description;
- (f) assigning a second candidate object from the second answer set to the second generic description; and
- (g) testing whether the first and second candidate objects comply with at least one predefined system constraint.

Claim 4 is anticipated by Weinberg, wherein Weinberg teaches:

- (a)-(f) See (Weinberg Figs. 17, 20, and 22; Col 3 L. 9-63, "In accordance... a Web site."); Col 27 L. 1-13, "As generally... non-OK URLs.");
- (g) See (Weinberg Fig. 17; Col 1 L. 34-40, "Company webmasters... congested links."); Col 27 L. 57-Col 28 L. 65, "By way of... view of the map."; Col 27 L. 57-Col 28 L. 65, "By way of... view of the map."; Col 30 L. 66-Col 31 L. 24, "XI. Link Repair... the missing file.").

Claim 5

Claim 5 recites "The method for choosing components or subsystems for a plurality of generic descriptions in a system design, from claim 4, wherein the generic descriptions are blocks of a block diagram", which is anticipated by Weinberg:

- See §102 rejection for claim 4, *supra*, and (Weinberg Figs. 1-5, 13-16, 18, 21, and 23-24).

Claim 6

Art Unit: 2121

Claim 6 recites "The method for choosing components or subsystems for a plurality of generic descriptions in a system design, from claim 4, wherein at least one of the one or more predefined system constraints depends on the cumulative contribution of each of the component or subsystem candidates in the combination", which is anticipated by Weinberg:

- See §102 rejection for claim 4, *supra*, and (Weinberg Fig. 17; Col 1 L. 34-40, "Company webmasters... congested links."; Col 27 L. 1-13, "As generally... non-OK URLs.").

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua C Liu whose telephone number is (703) 305-6435. The examiner can normally be reached on Monday-Friday, 8:30am-5:15pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anil Khatri can be reached on (703) 305-0282. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


jl


ANIL KHATRI
PATENT EXAMINER